IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

WP(C).No. 21243 of 2006(D)

PETITIONER:

ABDUL KHADER HAJI,
PROPRIETOR, METRO TOURIST HOME,
KANHANGAD, KASARAGOD.

BY ADV. SRI.K.PRAVEEN KUMAR

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY,
VYDYUTHI BHAVANAM, THIRUVANANTHAPURAM.

2. THE DEPUTY CHIEF ENGINEER,
ANTI POWER THEFT SQUAD, (HEAD QUARTERS),
KERALA STATE ELECTRICITY BOARD,
VYDUTHI BHAVANAM, THIRUVANANTHAPURAM.

3. THE ASST. ENGINEER,
ELECTRICAL SECTION,
K.S.E.B., KANHANGAD, KASARAGOD.

BY ADV. SRI.P.P. THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE SITE MAHAZAR PREPARED BY APTS DATED 12.11.2004

EXT.P2 TRUE COPY OF THE BILL DATED 25.11.2004

EXT.P3 TRUE COPY OF THE BILL DATED 27.12.2004

EXT.P4 TRUE COPY OF THE APPEAL DATED 13.1.2005 FILED BY THE PETITIONER TO THE 2ND RESPONDENT.

EXT.P5 TRUE COPY OF THE JUDGMENT IN WPC 2701 OF 2005 DATED 25.1.2005 OF THIS HON'BLE COURT.

EXT.P6 TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 22.7.2006

EXT.P7 TRUE COPY OF THE COVERING LETTER SENT BY THE 3RD RESPONDENT DATED 28.7.2006

EXT.P8 TRUE COPY OF THE REVISED BILL FOR RS. 84912/- DATED 28.7.2006

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 21243 OF 2006

Dated this the 13th day of September, 2007

JUDGMENT

The disputed bill raised after noticing theft of power stands modified in appeal by the appellate authority. Petitioner is not contesting the order in appeal. However, petitioner's case is that payment made is not fully credited, which is to be verified by the third respondent. Petitioner can produce receipt or proof of payment so far made before the third respondent along with a copy of this judgment. W.P. is disposed of directing the third respondent to verify the payment and recover only the balance with applicable rate of interest.

(C.N.RAMACHANDRAN NAIR)
Judge